

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
LYNCHBURG DIVISION

SHANTA LYNETTE BROWN, <i>et al.</i> ,	)	
	)	
Plaintiffs,	)	
	)	Case No. 6:23cv00054
v.	)	
	)	
CITY OF LYNCHBURG, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**MOTION TO DISMISS**

Defendant Deputy Zachary Miller, by counsel, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, moves to dismiss the complaint on the grounds that it fails to state a claim upon which relief can be granted. Defendant Deputy Zachary Miller adopts the Defendants' memorandum previously filed in support of their motion to dismiss (ECF 9).

WHEREFORE, Defendant respectfully requests that the Court dismiss the case against him with prejudice, and grant such other relief as the Court deems just and proper.

DEPUTY ZACHARY MILLER

By /s/ John R. Fitzgerald  
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*Counsel for Defendant Deputy Zachary Miller*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 13<sup>th</sup> day of December, 2023, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send notification of such filing to:

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